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S M I T H | V I L L A Z O R

October 28, 2021

BY ECF

The Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Hayes, et al., No. 20 Cr. 500

Dear Judge Koeltl:

We represent defendant Benjamin Delo in the above-referenced matter. Mr. Delo intends to file a letter motion to quash or vacate an order the government obtained under 18 U.S.C. § 2703(d).

Since the motion will refer to and attach materials the government has designated “Confidential” pursuant to the protective orders entered in this case (*e.g.*, ECF No. 41), we request permission to file the motion and accompanying materials under seal. (*See* ECF No. 41 ¶ 11 (provision of protective order requiring that “Confidential Material pertinent to any motion before the Court should initially be filed under seal, absent consent of the Government or Order of the Court”).)

Having conferred with the government pursuant to Rule VI.A.2 of the Court’s Individual Practices, the government does not object to the filing being made under seal.

We are available should the Court have any questions.

Respectfully submitted,

/s/ Patrick J. Smith

Patrick J. Smith
Smith Villazor LLP

cc: All counsel of record (by ECF)